

**V. DEPOSITIONS AND DISCOVERY IN CIVIL ACTIONS**

**RULE 25A: LEAVE OF COURT**

**(a) Leave of Court Required.** Except as stated in subsection (b), the taking of depositions, the propounding of interrogatories, the requesting of admissions and all other procedures authorized by Rules 26 through 37 are available only with leave of court first obtained and subject to the limitations, if any, imposed by the court. In exercising its discretion in determining whether discovery will be permitted or limited, the court shall consider:

- (1) whether all parties are represented by counsel,
- (2) whether the factual and legal issues lend themselves to discovery, limited or otherwise,
- (3) the anticipated expense for discovery likely to be incurred by a party,
- (4) the amount in controversy,
- (5) whether undue delay bringing the case to trial or hearing will result, and
- (6) whether the interests of justice will be promoted.

**(b) Leave of Court Not Required.** Where all parties are represented by counsel, no leave of court to conduct discovery is required by any party to:

- (1) Conduct no more than one deposition not to exceed one hour in length.
- (2) Propound up to a total of 10 written interrogatories, including all discreet subparts.
- (3) Request the production of up to 10 documents.
- (4) Request up to 10 written admissions.
- (5) Conduct depositions in accordance with the notice provisions under the requirements of Rule 30(b)(2).

**(c) Stipulations by Counsel.** Counsel may enter into a stipulated written discovery plan without leave of court, provided, however, that counsel may not stipulate to extend the deadlines for the filing of the early case conference report or pretrial memorandum.

[As amended; effective July 1, 2005]